

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**MIDSHIP PIPELINE
COMPANY, LLC,**

Plaintiff,

VS.

**TRACT NO. CN-0004.000,
1.504 ACRES OF LAND, MORE
OR LESS, PERMANENT
EASEMENT IN CANADIAN
COUNTY, OKLAHOMA, *et al.*,**

Defendants.

Case Number: 5:18-cv-858-G

Judge: Charles Goodwin

STIPULATION FOR VOLUNTARY DISMISSAL OF CERTAIN DEFENDANTS

NOW COME Plaintiff Midship Pipeline Company, LLC (“Midship”) and Defendants Tract No. CN-0047.000, 3.032 Acres of Land, More or Less, Permanent Easement (Pipeline Right-Of-Way), 3.017 Acres of Land, More or Less, Temporary Work Space, and 0.172 Acres of Land, More or Less, Additional Temporary Work Space in Canadian County, Oklahoma (the “Property”), and Michael Hufnagel, Thomas Hufnagel, and Michael Hufnagel and Ann Hufnagel as joint tenants, owners of the Property, and Central Land Consulting, LLC (“CLC”), a third party claiming an interest in the Property (hereinafter, the “Stipulating Defendants”) (collectively, the “Parties”), by and through undersigned counsel, pursuant to Fed. R. Civ. P. 41 and 71.1, and hereby enter into the following Stipulation:

1. The Parties have reached a settlement agreement regarding all claims that have been filed against the Stipulating Defendants in Midship's Verified Complaint for Condemnation, as amended, and have executed the necessary documents and agreed as to payments to effectuate the Parties' settlement agreement ("Settlement").

2. Defendant CLC disclaims any compensable interest in the Property, condemnation award for the taking of the easements on the Property and in the security deposit posted by Midship for the Property pursuant to this Court's Order of February 6, 2019.

3. The Parties further stipulate that any interim or final orders or judgments issued by this Court or Court-appointed Commission, or any appellate court in this civil action, shall not apply to the Stipulating Defendants and shall not be construed by any party as invalidating and/or modifying the terms of the Parties' settlement agreement.

4. Midship hereby withdraws its Motion for Summary Judgment as to the Settling Defendants and dismisses all claims currently pending against Defendants Tract No. CN-0047.000, 3.032 Acres of Land, More or Less, Permanent Easement (Pipeline Right-Of-Way), 3.017 Acres of Land, More or Less, Temporary Work Space, and 0.172 Acres of Land, More or Less, Additional Temporary Work Space in Canadian County, Oklahoma, Michael Hufnagel, Thomas Hufnagel, and Michael Hufnagel and Ann Hufnagel as joint tenants, and CLC as to Tract CN-0047.000 only, without prejudice, with each party bearing its own fees, costs and expenses.

5. This Court shall retain continuing jurisdiction to enforce the Settlement.

Respectfully submitted,

ZABEL FREEMAN

s/ Carolyn Elefant – authorized by
email

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Work Space, and 0.172 Acres of
Land, More or Less, Additional
Temporary Work Space in Canadian
County, Oklahoma Michael Hufnagel
and Ann Hufnagel as joint tenants,
Michael Hufnagel, and Thomas
Hufnagel, and Central Land
Consulting, LLC**

s/ Thomas Zabel

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing has been filed and served via this Court's ECF/CM system on all counsel of record.

/s/ Thomas Zabel